

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JESUS SAMANIEGO-GARCIA,

Defendants.

4:13CR3025

MEMORANDUM AND ORDER

This matter is before the Court on the Defendant Jesus Samaniego-Garcia's Motion to Proceed in Forma Pauperis, (Filing No. 133), in which Defendant seeks leave to file an appeal in forma pauperis. A party may proceed on appeal in forma pauperis without further authorization unless the district court certifies that the appeal is not taken in good faith or finds that the party is otherwise not entitled to proceed on appeal in forma pauperis. No such certification has been entered for this direct criminal appeal, and the Defendant has satisfied the requirements of Federal Rule of Appellate Procedure 24(a)(3). (See Filing Nos. 13 and 14).

Accordingly,

IT IS ORDERED:

- 1) Defendant Jesus Samaniego-Garcia's Motion to Proceed in Forma Pauperis, (Filing No. 133), is granted; and
- 2) Defendant may proceed in forma pauperis on appeal.
- 3) The clerk's office is directed to forward a copy of this order to the Clerk of Court of the Eighth Circuit Court of Appeals.

October 1, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge